

Service Date: April 4, 1988

FINAL ORDER NO. 5837

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-9200
UNITED PARCEL SERVICE, INC., Downers)	
Grove, Illinois for an amended)	
Certificate of Public Convenience and)	ORDER NO. 5837
Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On February 4, 1988, United Parcel Service, Inc., 2600 Warrentville Road, Room 210, Downers Grove, Illinois 60515, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of general commodities, except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, Class B, between all points and places in the State of Montana. LIMITATIONS: No service shall be rendered in the transportation of any package or article weighing more than seventy (70) pounds or exceeding 130 inches in length and girth combined or 108 inches in length, and each package or article shall be considered as a separate and distinct shipment. Applicant stated that the sole purpose of this application was to change the per package size restriction from 108 inches in length and girth combined to 130 inches in length and girth combined provided that no package exceed 108

inches in length.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public March 4, 1988. That notice said in pertinent part:

If no written protests are received by March 24, 1988, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. No protests or responses of any kind were received.

4. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 4th day of April, 1988, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9200, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of UNITED PARCEL

SERVICE, INC., 2600 Warrenton Road, Room 210, Downers Grove, Illinois 60515 for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class B - General commodities, except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading between all points and places in the State of Montana.

LIMITATIONS: No service shall be rendered in the transportation of any package or article weighing more than seventy (70) pounds or exceeding 130 inches in length and girth combined or 108 inches in length, and each package or article shall be considered as a separate and distinct shipment.

IT IS FURTHER ORDERED that Certificate of Public Convenience and Necessity, Montana PSC No. 3967 Sub A, issued August 20, 1984, be returned to the Montana Commission offices, 2701 Prospect Avenue, Helena, Montana, for cancellation in lieu of the above amended authority.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 4th day of April, 1988, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

TOM MONAHAN, Commissioner

ATTEST:

Carol A. Frasier
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision.
A motion to reconsider must be filed within ten (10) days. See 38.2.4806,
ARM.